

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MATTHEW MILES,

Defendant.

Criminal No. 14-0233
ELECTRONICALLY FILED

ORDER OF COURT RE: DEFENDANT'S MOTION FOR A DETENTION HEARING
(DOC. NO. 33)

On October 14, 2014, Defendant was charged by a grand jury with possession of a firearm by a convicted felon, in violation of 18 U.S.C. § 922(g)(1). Doc. Nos. 1 and 2. Defendant appeared before Chief Magistrate Judge Maureen P. Kelly, on October 24, 2014, for his initial appearance. Doc. No. 10. Defendant pled not guilty to the conduct charged in the one count indictment. Doc. No. 15. During this hearing, Judge Kelly ordered that Defendant be temporarily detained pending a detention hearing. Doc. No. 13.

On October 27, 2014, Judge Kelly held a detention hearing. Doc. No. 19. After the detention hearing, Judge Kelly entered a Detention Order Pending Trial because she found that: (1) there is probable cause to believe that Defendant has committed an offense for which a maximum sentence of ten years or more is prescribed in 18 U.S.C. § 924(e); (2) there is a serious risk that Defendant will endanger the safety of another person or the community; and (3) the evidence presented during the hearing established by clear and convincing evidence that “no condition can be imposed that would reasonably ensure the safety of the community.” Doc. No. 20.

Presently before this Court is Defendant's Motion for a Detention Hearing, in which Defendant moves this Court to schedule another detention hearing because his release on home detention with electronic monitoring would "accommodat[e] societal concerns" while allowing him to prepare his defense and spend time with his family. Doc. No. 33. The Government wholly opposes this Motion. Doc. No. 34.

The Court finds that Defendant has not advanced any grounds in support of his request for another detention hearing that were not known to him at the time of the detention hearing held by Judge Kelly or that any newly learned information has a "material bearing on the issue" as required by the applicable statute. 18 U.S.C. § 3142(f)(2) (. . . "The hearing may be reopened, before or after a determination by the judicial officer, at any time before trial if the judicial officer finds that information exists that was not known to the movant at the time of the hearing and that has a material bearing on the issue whether there are conditions of release that will reasonably assure the appearance of such person as required and the safety of any other person and the community."). Therefore, the following Order is entered:

AND NOW, this 13th day of February, 2015, IT IS HEREBY ORDERED THAT Defendant's Motion for a Detention Hearing (Doc. No. 33) is **DENIED**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties